

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:	Chapter 11
MERCY HOSPTIAL, IOWA CITY, IOWA, <i>et al.</i> , Debtors.	Case No. 23-00623 (TJC) Jointly Administered Objection Deadline: August 22, 2024 at 4:00 pm (CT)

**SUMMARY OF SEVENTH FEE APPLICATION OF DAY RETTIG MARTIN, P.C. AS
COUNSEL TO THE OFFICIAL COMMITTEE OF PENSIONERS FOR ALLOWANCE
OF COMPENSATION AND REMIBUREMENT OF EXPENSES FOR THE PERIOD
FROM MAY 1, 2024 THROUGH MAY 31, 2024**

Name of Applicant: Day Rettig Martin, P.C.
Authorized to Provide Professional Services to: Official Committee of Pensioners
Date of Retention: November 4, 2023
Date of Order Authorizing Retention: November 13, 2023, Doc. 506
Period for which Compensation and Reimbursement is Sought: May 1, 2024 through May 31, 2024
Amount of Compensation Sought as Actual, Reasonable and Necessary: \$26,976.00 (80% of \$33,720.00)
Amount of Expense Reimbursement Sought as Actual, Reasonable, and Necessary: \$0.00
Application Type: Monthly

SUMMARY OF DAY RETTIG MARTIN, P.C. APPLICATIONS FOR COMPENSATION

Application	Date Filed	Period Covered	Requested Fees	Requested Expenses	Fees & Expenses Paid to Date
First	04/15/24	11/04/23 – 11/30/23	\$20,544.00 (80% of 25,680.00)	\$0.00	\$20,544.00
Second	04/15/24	12/01/23 – 12/31/23	\$16,902.00 (80% of 21,127.50)	\$70.74	\$16,972.74

Third	05/28/24	01/01/24 – 01/31/24	\$20,682.00 (80% of 25,852.50)	\$0.00	\$20,682.00
Fourth	08/06/24	02/01/24 – 02/29/24	\$24,960.00 (80% of 31,200.00)	\$36.18	\$0.00
Fifth	08/06/24	03/01/24 – 03/31/24	\$33,636.00 (80% of 42,045.00)	\$0.00	\$0.00
Sixth	08/08/24	04/01/24 – 04/30/24	\$14,184.00 (80% of 17,730.00)	\$36.18	\$0.00
Seventh	08/08/24	05/01/24 – 05/31/24	\$26,976.00 (80% of 33,720.00)	\$0.00	\$0.00

SUMMARY OF BILLING BY PROFESSIONALS
MAY 1, 2024 – MAY 31, 2024

Name of Professional	Position, Department, Year of Bar Admission	Hourly Billing Rate	Total Billed Hours	Total Compensation
Paula L. Roby	Shareholder, Bankruptcy Bar Admission: 1999	\$375.00	89	\$26,700.00 (80% of \$33,375.00)
Julie G. Quist	Paralegal	\$150.00	2.3	\$276.00 (80% of \$345.00)
TOTALS:			91.3	\$26,976.00 (80% of \$33,720.00)

COMPENSATION BY PROJECT CATEGORY
MAY 1, 2024 – MAY 31, 2024

Project Category	Total Hours	Total Fees
A. Asset Analysis and Recovery	0.0	\$0.00
B. Case Administration	7.3	\$2,355.00
C. Court Hearings	6.2	\$2,190.00
D. Employment and Fee Applications	0.0	\$0.00
E. Litigation	0.0	\$0.00
F. Litigation Planning	0.0	\$0.00
G. Meetings and Communications with Professionals	41.2	\$15,450.00
H. Pension Analysis	19.5	\$7,312.50

I. Plan and Disclosures Statement	8.4	\$3,150.00
J. Review Pleadings	8.7	\$3,262.50
K. Other Contested Matters	0.0	\$0.00
L. Travel (billed at 50%)	0.0	\$0.00
TOTALS:	91.3	\$33,720.00

EXPENSE SUMMARY
MAY 1, 2024 – MAY 31, 2024

Expense Category	Service Provider (if applicable)	Total Expenses
N/A	0.00	\$0.00
TOTALS:	0.00	\$0.00

Day Rettig Martin, P.C. (the “Applicant” or “DRM”), counsel to the Official Committee of Pensioners (the “Pensioners Committee”) in the above-captioned chapter 11 case (the “Chapter 11 Case”), hereby applies (the “Application”), pursuant to sections 330 and 331 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the Court’s *Order Establishing Procedures for Interim Compensation And Reimbursement of Expenses of Professionals* (Doc. 224) (the “Interim Compensation Order”), for allowance of compensation for services rendered and reimbursement of expenses for the period from **May 1, 2024 through May 31, 2024** (the “Application Period”), and respectfully represents as follows:

1. The Court has jurisdiction to consider this Application pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b).

2. Venue of the Chapter 11 Case and this Application in this District is proper under 28 U.S.C. §§ 1408 and 1409.

3. The legal predicates for the relief requested herein are Bankruptcy Code sections 330 and 331, Bankruptcy Rule 2016, and the Interim Compensation Order.

BACKGROUND

A. Formation of the Official Committee of Pensioners

4. On August 7, 2023, (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the Northern District of Iowa (the “Court”) commencing these bankruptcy cases.

5. On September 13, 2023, Paula L. Roby of DRM appeared for a group of Mercy Pensioners (Doc. 212) and on October 4, 2023, for the Mercy Pensioners Ad-Hoc Committee (Doc. 332).

6. On October 18, 2023, counsel for the Mercy Pensioners Ad-Hoc Committee filed a Motion to Establish an Official Committee of Pensioners Under 11 U.S.C. § 1102 (a)(2) (Doc. 385). A hearing on the Motion was held October 27, 2023, and the Motion was granted November 3, 2023 (Doc. 451). The following day, eight members of the Mercy Pensioners Ad-Hoc Committee were appointed to serve as the Official Committee of Pensioners (the “Pensioners Committee”) (Doc. 458).

B. The Retention of Day Rettig Martin, P.C.

7. On November 8, 2023, the Pensioners Committee applied to the Court (Doc. 479) (the “DRM Application”) for an order authorizing it to retain and employ DRM as their counsel, effective as of November 4, 2023. On November 13, 2023, the Court entered an order authorizing such retention (Doc. 506).

RELIEF REQUESTED

8. All services for which compensation is requested were performed for or on behalf of the Pensioners' Committee. During the compensation period, DRM received no payment and no promises of payment from any source other than the Debtors for services to be rendered in any capacity in connection with the matters covered by this Application. There is no agreement or understanding between DRM and any other person, other than members of DRM for sharing of any compensation to be received for services rendered in the Chapter 11 Case.

9. Pursuant to the Interim Compensation Order and Bankruptcy Code section 331, DRM is seeking compensation in the amount of \$26,976.00, which is equal to eighty percent (80%) of the \$33,720.00 in fees for professional services rendered by DRM during the Application Period. This amount is derived solely from the applicable hourly billing rates of DRM's personnel who rendered services to the Debtors. In addition, DRM incurred \$0.00 in out-of-pocket expenses during the Application Period.

A. Compensation Requested

10. Attached hereto as **Exhibit A** is a detailed itemization, by project category, of all services performed by DRM with respect to the Chapter 11 Case during the Application Period. This detailed itemization complies with the Interim Compensation Order and the Bankruptcy Code in that each time entry contains a separate time allotment, a description of the type of activity, and the subject matter of the activity, all time is billed in increments of one-tenth of an hour, time entries are presented chronologically in categories, and all meetings or hearings are individually identified.

Remainder of page left intentionally blank.

11. The attorney(s) and paraprofessional(s) who rendered services related to each project category are identified in **Exhibit A**, along with the number of hours for each individual and the total compensation sought for each category.

B. Expense Reimbursement

12. DRM incurred out-of-pocket expenses during the Application Period in the amount of \$0.00. Descriptions of the expenses actually occurred are identified in **Exhibit A** in relation to each project category. The expenses are broken down into categories of charges.

13. DRM provided a wide array of legal services to the Pensioners Committee. The services rendered by DRM are separated by project category and are more fully described in the Summary of Services by Project spreadsheet attached to this Application as **Exhibit B**.

CONCLUSION

14. DRM believes that the time entries, rates, and expenses included in **Exhibit A** are reasonable, customary, and in compliance with the requirements of the Bankruptcy Code and the Interim Compensation Order.

15. DRM reserves the right to correct, amend, or supplement this Application, including, without limitation, to seek payment in the event this Application is not approved in full.

WHEREFORE, DRM respectfully requests that the Court enter an order: (i) awarding DRM allowance of (a) eighty percent (80%) of the fees for the Application Period in the amount of \$26,976.00; and (b) the reimbursement of one-hundred percent (100%) of the actual and necessary expenses DRM incurred during the Application Period in the amount of \$0.00; (ii) authorizing and directing the Debtors to pay DRM \$26,976.00, representing the total amount owed for the Application Period; and (iii) granting such other relief as is just and proper.

Dated: August 8, 2024

Respectfully submitted,
DAY RETTIG MARTIN, P.C.

/s/ Paula L. Roby

Paula L. Roby AT0006749

Telephone: (319) 365-0437

FAX: (319) 365-5866

E-mail: paula@drpjlaw.com

ATTORNEY FOR THE
OFFICIAL COMMITTEE OF PENSIONERS

Certificate of Service

The undersigned certifies, under penalty of perjury, that on this August 8, 2024, the foregoing document was electronically filed with the Clerk of Court using the Northern District of Iowa CM/ECF and the document was served electronically through the CM/ECF system to the parties of this case.

/s/ Lillian M Strait

Day Rettig Martin, P.C.

150 1st Avenue NE Suite 415
 P. O. Box 2877
 Cedar Rapids IA 52406-2877

Phone: 319-365-0437 Fax: 319-365-5866

Mercy Pensioners Committee

Statement Date: August 8, 2024

Statement No. 123472

Account No. 100082.01

Page:

1

Fees

			Rate	Hours	
05/01/2024	PLR	Meeting with Marc Ross regarding next steps necessary to proceed with Pension Plan.	375.00	2.10	787.50
	PLR	Receive several telephone calls from individual pensioners regarding ballot and voting; address the same.	375.00	1.90	712.50
	PLR	Receive and review e-mail from Official Committee of Pensioners regarding census.	375.00	0.20	75.00
	PLR	Attention to Plan language regarding "prosecution of fees"; review Attorney Roy Leaf's e-mail regarding same.	375.00	0.40	150.00
	PLR	Draft committee update to Pensioners.	375.00	0.20	75.00
	PLR	Review correspondence from Attorneys Harold Israel and Roy Leaf regarding sponsorship issues.	375.00	0.60	225.00
05/02/2024	JGQ	Receive, Review, and Respond to several more Pensioners regarding not having received Chapter 11 Plan and Ballots	150.00	0.20	30.00
	PLR	Receive and review several Witness and Exhibits lists for 05/16/24 Plan Confirmation hearing.	375.00	2.40	900.00
	PLR	Attention to Witness/Exhibit List for upcoming Hearing.	375.00	0.40	150.00
	PLR	Legal research regarding church plan sponsorship issues and continuation of corporation as an option.	375.00	2.30	862.50
05/03/2024	PLR	Telephone call with Official Committee of Pensioners member regarding additions to the update to all Pensioners.	375.00	0.30	112.50
	PLR	Receive and review additions to the update to all Pensioners.	375.00	0.20	75.00
	PLR	Telephone call with Attorney Roy Leaf regarding Pensioner voting issues.	375.00	0.40	150.00
	PLR	Receive and review messages from several individual Pensioners regarding not having received ballots; return calls to same.	375.00	2.50	937.50
	PLR	Telephone call with Epiq regarding Pensioners who have not received ballots.	375.00	0.40	150.00
05/04/2024	PLR	Attention to additional update to be sent to Pensioners to alleviate confusion.	375.00	0.30	112.50

Mercy Pensioners Committee

Statement Date: 08/08/2024
 Statement No. 123472
 Account No. 100082.0

			Rate	Hours	
05/05/2024	PLR	Receive and review McDermott Will & Emery's draft Confirmation Order.	375.00	0.70	262.50
	PLR	Begin redlining the draft Confirmation Order.	375.00	0.40	150.00
	PLR	Continue attention to Pensioner ballot issues.	375.00	0.50	187.50
	PLR	Telephone call with Attorney Roy Leaf regarding continued Pensioner ballot issues.	375.00	0.20	75.00
05/06/2024	JGQ	Set up Zoom meeting for Attorney Paula Roby with Official Committee of Pensioners; take calls from several Mercy Pensioners regarding their late ballots.	150.00	0.10	15.00
	PLR	Participate in status conference with Unsecured Creditors Committee regarding Plan issues.	375.00	1.00	375.00
	PLR	Receive and review Objection to Confirmation of Plan Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation.	375.00	1.10	412.50
	PLR	Receive and review Objection to Confirmation of Plan Limited Filed by J. Nicholas Russo, Nancy Russo, Brent Strabala.	375.00	0.60	225.00
	PLR	Phone call with Sam Marks regarding same.	375.00	0.50	187.50
	PLR	Receive and review Objection to Chapter 11 Plan filed by Mercy Health Network.	375.00	0.50	187.50
	PLR	Receive and review Limited and Protective Objection to Chapter 11 Plan filed by Progressive Rehabilitation Associates, LLC. from Mark Melickian.	375.00	0.40	150.00
	PLR	Receive and review several e-mails from individual Pensioners regarding Plan and balloting; respond to same.	375.00	0.80	300.00
	PLR	Telephone call with Attorney Sam Marks regarding the Limited Objection.	375.00	0.40	150.00
	PLR	Telephone call with Attorney Roy Leaf regarding the Limited Objection.	375.00	0.10	37.50
	PLR	Attention to remedy for Pensioners who received ballots on voting deadline date; legal research regarding same.	375.00	1.10	412.50
05/07/2024	JGQ	Take calls from several Mercy Pensioners regarding their late ballots; made list of pensioners who called and provided to Attorney Paula Roby to send to Attorney Roy Leaf.	150.00	0.40	60.00
	PLR	Telephone call with Attorney Roy Leaf regarding Pensioners late receipt of ballots.	375.00	0.30	112.50
	PLR	E-mail correspondence regarding remedy for ballots that were received late.	375.00	0.40	150.00
	PLR	Receive and review Committee of Unsecured Creditors' redlines to proposed confirmation order; identify issues regarding same.	375.00	0.80	300.00
	PLR	Receive, review and respond to e-mails with Official Committee of Pensioners regarding Mercy Guild funds.	375.00	0.30	112.50
	PLR	Legal research regarding Mercy Guild funds.	375.00	0.40	150.00
	PLR	Telephone call with Attorney Eric Lam regarding Foundation and Mercy Guild Funds.	375.00	0.30	112.50
	PLR	Receive and review latest draft of proposed Confirmation order; commented on same.	375.00	0.70	262.50
	PLR	Receive, review and respond to e-mail correspondence with stakeholders regarding filed Objections to Chapter 11 Plan.	375.00	0.60	225.00

Mercy Pensioners Committee

Statement Date: 08/08/2024
 Statement No. 123472
 Account No. 100082.0

			Rate	Hours	
05/08/2024	PLR	Call with Attorney Roy Leaf, Marc Ross, and Ferenczy firm regarding Pension Plan (0.3); correspondence with Marc Ross regarding same (0.5).	375.00	0.80	300.00
	PLR	Receive and review e-mail correspondence regarding Stipulated Lift From Stay by Hyundai; Official Committee of Pensioners consent to same.	375.00	0.20	75.00
	PLR	Continue e-mail correspondence with stakeholders regarding revisions to Draft Confirmation Order.	375.00	0.40	150.00
	PLR	Receive and review ballot tabulation.	375.00	0.20	75.00
	PLR	Receive and review Mercy Pension Q1 Performance report from Marquette Associates, Inc.	375.00	0.20	75.00
	PLR	Telephone call with Agilis regarding Q1 Performance Report and retention by Official Committee of Pensioners.	375.00	0.80	300.00
	PLR	Telephone call with Marc Ross regarding Agilis retention terms.	375.00	0.30	112.50
	PLR	Receive and review Bondholder revisions to Draft Confirmation Order.	375.00	0.40	150.00
05/09/2024	PLR	Call with Marc Ross regarding Plan Confirmation hearing.	375.00	0.50	187.50
	PLR	Meeting with Pensioners Committee and Marc Ross to provide updates, and address questions.	375.00	1.80	675.00
	PLR	Receive and review Report on Ballots Filed by Debtor Mercy Hospital, Iowa City, Iowa.	375.00	0.40	150.00
	PLR	E-mail correspondence with Attorneys Sam Marks and Mark Melickian regarding Interested Pensioners Limited Objection.	375.00	0.30	112.50
	PLR	Review Agilis proposed retention documents.	375.00	0.70	262.50
	PLR	Draft redline of Agilis proposed retention documents.	375.00	0.30	112.50
	PLR	Attention to correspondence regarding Sisters of Mercy.	375.00	0.40	150.00
	PLR	Telephone call with Attorneys Sam Marks and Mark Melickian regarding Limited Objection to Plan and withdrawal of same.	375.00	0.70	262.50
	PLR	Telephone call with Attorney Roy Leaf regarding objection update.	375.00	0.20	75.00
	PLR	Telephone call with Attorney Nathan Coco regarding objection update.	375.00	0.20	75.00
	PLR	Receive and review Objection to Exhibits by Mercy Health Network.	375.00	0.20	75.00
	PLR	E-mail correspondence regarding revision of definition of "Released Parties" in Plan to address objection.	375.00	0.30	112.50
05/10/2024	PLR	Call with Marc Ross and Attorney Sam Marks regarding Pension Administration.	375.00	0.50	187.50
	PLR	Receive and review Motion to Sell Beneficial Interest in Thompson Trust.	375.00	0.40	150.00
	PLR	Prepare Official Committee of Pensioners update regarding case status.	375.00	0.70	262.50
05/12/2024	PLR	E-mail correspondence regarding Sisters of Mercy plan sponsorship issues going forward.	375.00	0.70	262.50
	PLR	Legal research regarding potential IRS issues due to change of sponsor in church plan.	375.00	2.40	900.00
	PLR	E-mail correspondence with Peg Brubaker regarding updated Pensioner list.	375.00	0.20	75.00

Statement Date: 08/08/2024
 Statement No. 123472
 Account No. 100082.0

Mercy Pensioners Committee

			Rate	Hours	
05/13/2024	PLR	Telephone call with stakeholders regarding revisions to Plan in advance of Confirmation hearing.	375.00	0.70	262.50
	PLR	Receive and review McDermott Will & Emery's revisions to Combined Plan and Disclosure Statement.	375.00	0.60	225.00
05/14/2024	JGQ	Create Attorney Paula Roby's court binder for 05/16/24 hearing.	150.00	0.60	90.00
	PLR	Call with Sisters of Mercy Counsel and Marc Ross regarding maintaining Debtor (1.6); meeting with Marc Ross regarding same (1.1).	375.00	2.70	1,012.50
	PLR	Receive and review Modified Chapter 11 Plan of Liquidation.	375.00	0.70	262.50
	PLR	Attention to Plan Sponsor issues.	375.00	3.00	1,125.00
	PLR	Receive and review Brief - Debtors' (I) Memorandum of Law in Support of Confirmation of Debtors' First Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation and (II) Omnibus Reply to Objections to Confirmation.	375.00	2.60	975.00
	PLR	Receive and review Withdrawal of Limited Objection from Individual Pensioners.	375.00	0.20	75.00
	PLR	E-mail correspondence with Official Committee of Pensioners regarding upcoming hearing.	375.00	0.60	225.00
	PLR	E-mail correspondence with Attorney Harold Israel regarding Pension Plan sponsorship going forward.	375.00	0.30	112.50
	PLR	Telephone call with Attorney Harold Israel regarding Pension Plan sponsorship.	375.00	0.50	187.50
	PLR	Telephone conference with Attorney Harold Israel and Marc Ross regarding sponsorship.	375.00	0.70	262.50
	PLR	E-mail correspondence with stakeholders regarding continued revisions to Plan and Disclosure Statement.	375.00	0.40	150.00
	PLR	E-mail correspondence with Mark Toney regarding withdrawn objection.	375.00	0.10	37.50
	PLR	Receive and review Debtor's Brief in Support of Confirmation.	375.00	0.60	225.00
	PLR	Prepare for Plan Confirmation hearing.	375.00	1.40	525.00
	PLR	Draft correspondence with attachments to Attorney Harold Israel regarding Mercy Church Plan documents.	375.00	1.10	412.50
	PLR	E-mail correspondence with Attorneys Harold Israel and Roy Leaf regarding Revisions to Plan to reflect sponsorship issues.	375.00	0.60	225.00
05/15/2024	PLR	Meeting with Marc Ross regarding sponsor issues, newly filed pleadings.	375.00	1.20	450.00
	PLR	Receive and review new Marquette month to month investment consultant advisory agreement regarding Pension Plan.	375.00	0.60	225.00
	PLR	Continue hearing preparation on Mercy One's objection.	375.00	0.80	300.00
	PLR	Work on sponsorship with IRS issues.	375.00	0.50	187.50
	PLR	Receive and review language from Confirmation Order requested by potential new sponsor.	375.00	0.50	187.50
	PLR	Receive and review previous Marquette Agreement; comparison of the two agreements.	375.00	1.30	487.50
	PLR	E-mail correspondence with stakeholders regarding proposed sponsor language; attention to concerns raised by Committee of Unsecured Creditors.	375.00	0.90	337.50
	PLR	Telephone call with Boris Mankovetskiy regarding Committee of Unsecured Creditors' concerns with sponsorship language.	375.00	0.30	112.50

Mercy Pensioners Committee

Statement Date: 08/08/2024
 Statement No. 123472
 Account No. 100082.0

			Rate	Hours	
05/16/2024	JGQ	Search for Mercy Pension Plan documents in Attorney Paula Roby's e-mail; send pertinent ones to Kenneth Kneubuhler and Harold Israel.	150.00	1.00	150.00
	PLR	Prepare for Plan Confirmation hearing.	375.00	2.60	975.00
	PLR	Attend Plan Confirmation hearing.	375.00	3.00	1,125.00
	PLR	Meet with Marc Ross after the Plan Confirmation hearing.	375.00	2.50	937.50
	PLR	Telephone call with Attorney Harold Israel regarding sponsorship language; minor changes.	375.00	0.10	37.50
05/17/2024	PLR	Telephone call with Marc Ross and Attorney Adrienne Moore regarding Pension Committee and board of corporation.	375.00	1.60	600.00
05/21/2024	PLR	Receive and review Chapter 11 Monthly Operating Report for the Month Ending: 04/30/2024.	375.00	0.40	150.00
	PLR	Receive and review correspondence from Attorney Roy Leaf with attached Stipulation regarding Motion to Lift Stay; consent to order regarding same.	375.00	0.30	112.50
	PLR	Review Debtors' Monthly Operating Report.	375.00	0.40	150.00
	PLR	Collaborate with Agilis on retention and transition matters.	375.00	1.30	487.50
05/22/2024	PLR	Receive and review Motion for Relief from Stay by Kelly Banks.	375.00	0.50	187.50
	PLR	Telephone call with Attorney Tom Riley regarding Motion for Relief from Stay.	375.00	0.40	150.00
05/24/2024	PLR	Legal research regarding continuing entity solely for purposes of administering Plan and related sponsorship and IRS issues.	375.00	3.40	1,275.00
	PLR	Receive and review draft Liquidating Trust Agreement.	375.00	0.90	337.50
	PLR	Conference call with Client regarding draft Liquidating Trust Agreement.	375.00	0.40	150.00
05/27/2024	PLR	Receive and review e-mail and attached documents regarding proposed sale of joint venture interest in Eastern Iowa Rehabilitation.	375.00	1.30	487.50
	PLR	E-mail correspondence with stakeholders regarding designated representative succession under Liquidation Trust Agreement; concerns regarding proposed sale of joint venture interest in Eastern Iowa Rehabilitation.	375.00	1.40	525.00
05/28/2024	PLR	Review revised Liquidation Trust Agreement, suggested additional revisions.	375.00	0.40	150.00
	PLR	Telephone call with Marc Ross regarding joint venture interest in Eastern Iowa Rehabilitation.	375.00	1.10	412.50
05/30/2024	PLR	Receive and review Debtors' Witness and Exhibit Lists for 06/06/24 hearing.	375.00	0.50	187.50
	PLR	E-mail correspondence with Attorney Roy Leaf regarding Lift Stay issue; Debtor determinations regarding same.	375.00	0.60	225.00
	PLR	E-mail correspondence with Attorneys Roy Leaf and Bob Gainer regarding Thompson Trust objection; upcoming hearing.	375.00	0.30	112.50

Mercy Pensioners Committee

Statement Date: 08/08/2024
Statement No. 123472
Account No. 100082.0

			Rate	Hours	
05/31/2024	PLR	Telephone call with Marc Ross and Ferenczy firm regarding Plan post-confirmation.	375.00	1.30	487.50
	PLR	Phone call with Attorney Roy Leaf regarding 06/06/2024 hearing.	375.00	0.50	187.50
		For Current Services Rendered		91.30	33,720.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Paula L Roby	89.00	\$375.00	\$33,375.00
Julie G. Quist	2.30	150.00	345.00

Total Current Work 33,720.00

Previous Balance \$108,270.18

Payments

06/13/2024 Wire received for 80% of fees from Statement 123268. Statement amount is \$25,852.50, 80% = \$20,682.00. -20,682.00

Balance Due \$121,308.18

Please make all checks payable to Day Rettig Martin, P.C. Thank you.

Mercy Pensioners Committee
May 1 -31, 2024

SUMMARY OF SERVICE BY PROJECT

B. Case Administration

Date	Tmkpr	Time	Amount	Description
05/02/24	PLR	0.4	150.00	Attention to Witness/Exhibit List for upcoming Hearing.
05/02/24	JGQ	0.2	30.00	Receive, Review, and Respond to several more Pensioners regarding not having received Chapter 11
05/05/24	PLR	0.7	262.50	Receive and review McDermott Will & Emery's draft Confirmation Order.
05/05/24	PLR	0.4	150.00	Begin redlining the draft Confirmation Order.
05/06/24	PLR	0.5	187.50	Receive and review Objection to Chapter 11 Plan filed by Mercy Health Network.
05/06/24	PLR	0.4	150.00	Receive and review Limited and Protective Objection to Chapter 11 Plan filed by Progressive Rehabilitation Associates, LLC from Mark Melickian.
05/06/24	JGQ	0.1	15.00	Set up Zoom meeting for Attorney Paula Roby with Official Committee of Pensioners; take calls from 7 Mercy Pensioners regarding their late ballots.
05/07/24	JGQ	0.4	60.00	Take calls from four (4) Mercy Pensioners regarding their late ballots; made list of pensioners who called and provided to Attorney Paula Roby to send to Attorney Roy Leaf.
05/08/24	PLR	0.2	75.00	Receive and review ballot tabulation.
05/09/24	PLR	0.2	75.00	Receive and review Objection to Exhibits by Mercy Health Network.
05/10/24	PLR	0.4	150.00	Receive and review Motion to Sell Beneficial Interest in Thompson Trust.
05/10/24	PLR	0.7	262.50	Prepare Official Committee of Pensioners update regarding case status.
05/14/24	PLR	0.2	75.00	Receive and review Withdrawal of Limited Objection from Individual Pensioners.
05/14/24	PLR	0.6	225.00	Receive and review Debtor's Brief in Support of Confirmation.
05/16/24	JGQ	1.0	150.00	Search for Mercy Pension Plan documents in Attorney Paula Roby's e-mail; send pertinent ones to Kenneth Kneubuhler and Harold Israel.
05/21/24	PLR	0.4	150.00	Review Debtors' Monthly Operating Report.
05/22/24	PLR	0.5	187.50	Receive and review Motion for Relief from Stay by Kelly Banks.
Totals:		7.3	2,355.00	

C. Court Hearings

Date	Tmkpr	Time	Amount	Description
05/14/24	JGQ	0.6	90.00	Create Attorney Paula Roby's court binder for 05/16/24 hearing.
05/16/24	PLR	2.6	975.00	Prepare for Plan Confirmation hearing.
05/16/24	PLR	3.0	1,125.00	Attend Plan Confirmation hearing.
Totals:		6.2	2,190.00	

G. Meetings and Communications with Professionals

Date	Tmkpr	Time	Amount	Description
05/01/24	PLR	2.1	787.50	Meeting with Marc Ross regarding next steps necessary to proceed with Pension Plan.
05/01/24	PLR	1.9	712.50	Receive several telephone calls from individual pensioners regarding ballot and voting; address the same.
05/01/24	PLR	0.2	75.00	Receive and review e-mail from Official Committee of Pensioners regarding census.
05/01/24	PLR	0.2	75.00	Draft committee update to Pensioners.
05/02/24	PLR	0.6	225.00	Review correspondence from Attorneys Harold Israel and Roy Leaf regarding sponsorship issues.
05/03/24	PLR	0.3	112.50	Telephone call with Official Committee of Pensioners member regarding additions to the update to all Pensioners.
05/03/24	PLR	0.2	75.00	Receive and review additions to the update to all Pensioners.
05/03/24	PLR	0.4	150.00	Telephone call with Attorney Roy Leaf regarding Pensioner voting issues.
05/03/24	PLR	2.5	937.50	Receive and review messages from several individual Pensioners regarding not having received ballots; return calls to same.
05/03/24	PLR	0.4	150.00	Telephone call with Epiq regarding Pensioners who have not received ballots.
05/04/24	PLR	0.3	112.50	Attention to additional update to be sent to Pensioners to alleviate confusion.

05/05/24	PLR	0.2	75.00	Telephone call with Attorney Roy Leaf regarding continued Pensioner ballot issues.
05/06/24	PLR	0.5	187.50	Phone call with Sam Marks regarding same.
05/06/24	PLR	0.4	150.00	Telephone call with Attorney Sam Marks regarding the Limited Objection.
05/06/24	PLR	1.0	375.00	Participate in status conference with Unsecured Creditors Committee regarding Plan issues.
05/06/24	PLR	0.1	37.50	Telephone call with Attorney Roy Leaf regarding the Limited Objection.
05/07/24	PLR	0.3	112.50	Telephone call with Attorney Roy Leaf regarding Pensioners late receipt of ballots.
05/07/24	PLR	0.4	150.00	E-mail correspondence regarding remedy for ballots that were received late.
05/07/24	PLR	0.3	112.50	Receive, review and respond to e-mails with Official Committee of Pensioners regarding Mercy Guild funds.
05/07/24	PLR	0.3	112.50	Telephone call with Attorney Eric Lam regarding Foundation and Mercy Guild Funds.
05/08/24	PLR	0.8	300.00	Call with Attorney Roy Leaf, Marc Ross, and Ferenczy firm regarding Pension Plan (0.3); correspondence with Marc Ross regarding same (0.5).
05/08/24	PLR	0.6	225.00	Receive, review and respond to e-mail correspondence with stakeholders regarding filed Objections to Chapter 11 Plan.
05/08/24	PLR	0.2	75.00	Receive and review e-mail correspondence regarding Stipulated Lift From Stay by Hyundai; Official Committee of Pensioners consent to same.
05/08/24	PLR	0.4	150.00	Continue e-mail correspondence with stakeholders regarding revisions to Draft Confirmation Order.
05/08/24	PLR	0.8	300.00	Telephone call with Agilis regarding Q1 Performance Report and retention by Official Committee of Pensioners.
05/08/24	PLR	0.3	112.50	Telephone call with Marc Ross regarding Agilis retention terms.
05/09/24	PLR	0.5	187.50	Call with Marc Ross regarding Plan Confirmation hearing.
05/09/24	PLR	1.8	675.00	Meeting with Pensioners Committee and Marc Ross to provide updates, and address questions.
05/09/24	PLR	0.3	112.50	E-mail correspondence with Attorneys Sam Marks and Mark Melickian regarding Interested Pensioners Limited Objection.
05/09/24	PLR	0.7	262.50	Telephone call with Attorneys Sam Marks and Mark Melickian regarding Limited Objection to Plan and withdrawal of same.
05/09/24	PLR	0.2	75.00	Telephone call with Attorney Roy Leaf regarding objection update.
05/09/24	PLR	0.2	75.00	Telephone call with Attorney Nathan Coco regarding objection update.
05/09/24	PLR	0.3	112.50	E-mail correspondence regarding revision of definition of "Released Parties" in Plan to address objection.
05/10/24	PLR	0.5	187.50	Call with Marc Ross and Attorney Sam Marks regarding Pension Administration.
05/12/24	PLR	0.2	75.00	E-mail correspondence with Peg Brubaker regarding updated Pensioner list.
05/13/24	PLR	0.7	262.50	Telephone call with stakeholders regarding revisions to Plan in advance of Confirmation hearing.
05/14/24	PLR	2.7	1,012.50	Call with Sisters of Mercy Counsel and Marc Ross regarding maintaining Debtor (1.6); meeting with Marc Ross regarding same (1.1).
05/14/24	PLR	0.6	225.00	E-mail correspondence with Official Committee of Pensioners regarding upcoming hearing.
05/14/24	PLR	0.3	112.50	E-mail correspondence with Attorney Harold Israel regarding Pension Plan sponsorship going forward.
05/14/24	PLR	0.5	187.50	Telephone call with Attorney Harold Israel regarding Pension Plan sponsorship.
05/14/24	PLR	0.7	262.50	Telephone conference with Attorney Harold Israel and Marc Ross regarding sponsorship.
05/14/24	PLR	0.4	150.00	E-mail correspondence with stakeholders regarding continued revisions to Plan and Disclosure Statement.
05/14/24	PLR	0.1	37.50	E-mail correspondence with Mark Toney regarding withdrawn objection.
05/14/24	PLR	0.6	225.00	E-mail correspondence with Attorneys Harold Israel and Roy Leaf regarding Revisions to Plan to reflect sponsorship issues.
05/15/24	PLR	1.2	450.00	Meeting with Marc Ross regarding sponsor issues, newly filed pleadings.
05/15/24	PLR	0.9	337.50	E-mail correspondence with stakeholders regarding proposed sponsor language; attention to concerns raised by Committee of Unsecured Creditors.
05/15/24	PLR	0.3	112.50	Telephone call with Boris Mankovetskiy regarding Committee of Unsecured Creditors' concerns with sponsorship language.

05/16/24	PLR	2.5	937.50	Meet with Marc Ross after the Plan Confirmation hearing.
05/16/24	PLR	0.1	37.50	Telephone call with Attorney Harold Israel regarding sponsorship language; minor changes.
05/17/24	PLR	1.6	600.00	Telephone call with Marc Ross and Attorney Adrienne Moore regarding Pension Committee and board of corporation.
05/21/24	PLR	0.3	112.50	Receive and review correspondence from Attorney Roy Leaf with attached Stipulation regarding Motion to Lift Stay; consent to order regarding same.
05/22/24	PLR	0.4	150.00	Telephone call with Attorney Tom Riley regarding Motion for Relief from Stay.
05/24/24	PLR	0.4	150.00	Conference call with Client regarding draft Liquidating Trust Agreement.
05/27/24	PLR	1.3	487.50	Receive and review e-mail and attached documents regarding proposed sale of joint venture interest in Eastern Iowa Rehabilitation.
05/27/24	PLR	1.4	525.00	E-mail correspondence with stakeholders regarding designated representative succession under Liquidation Trust Agreement; concerns regarding proposed sale of joint venture interest in Eastern Iowa Rehabilitation.
05/28/24	PLR	1.1	412.50	Telephone call with Marc Ross regarding joint venture interest in Eastern Iowa Rehabilitation.
05/30/24	PLR	0.6	225.00	E-mail correspondence with Attorney Roy Leaf regarding Lift Stay issue; Debtor determinations regarding same.
05/30/24	PLR	0.3	112.50	E-mail correspondence with Attorneys Roy Leaf and Bob Gainer regarding Thompson Trust objection; upcoming hearing.
05/31/24	PLR	1.3	487.50	Telephone call with Marc Ross and Ferenczy firm regarding Plan post-confirmation.
05/31/24	PLR	0.5	187.50	Phone call with Attorney Roy Leaf regarding 06/06/2024 hearing.
Totals:		41.2	15,450.00	

H. Pension Analysis

Date	Tmkpr	Time	Amount	Description
05/02/24	PLR	2.3	862.50	Legal research regarding church plan sponsorship issues and continuation of corporation as an option.
05/08/24	PLR	0.2	75.00	Receive and review Mercy Pension Q1 Performance report from Marquette Associates, Inc.
05/09/24	PLR	0.7	262.50	Review Agilis proposed retention documents.
05/09/24	PLR	0.3	112.50	Draft redline of Agilis proposed retention documents.
05/09/24	PLR	0.4	150.00	Attention to correspondence regarding Sisters of Mercy.
05/12/24	PLR	0.7	262.50	E-mail correspondence regarding Sisters of Mercy plan sponsorship issues going forward.
05/12/24	PLR	2.4	900.00	Legal research regarding potential IRS issues due to change of sponsor in church plan.
05/14/24	PLR	3	1,125.00	Attention to Plan Sponsor issues.
05/14/24	PLR	1.1	412.50	Draft correspondence with attachments to Attorney Harold Israel regarding Mercy Church Plan documents.
05/15/24	PLR	0.6	225.00	Receive and review new Marquette month to month investment consultant advisory agreement regarding Pension Plan.
05/15/24	PLR	0.5	187.50	Work on sponsorship with IRS issues.
05/15/24	PLR	1.3	487.50	Receive and review previous Marquette Agreement; comparison of the two agreements.
05/21/24	PLR	1.3	487.50	Collaborate with Agilis on retention and transition matters.
05/24/24	PLR	3.4	1,275.00	Legal research regarding continuing entity solely for purposes of administering Plan and related sponsorship and IRS issues.
05/24/24	PLR	0.9	337.50	Receive and review draft Liquidating Trust Agreement.
05/28/24	PLR	0.4	150.00	Review revised Liquidation Trust Agreement, suggested additional revisions.
Totals:		19.5	7,312.50	

I. Plan and Disclosure Statement

Date	Tmkpr	Time	Amount	Description
05/01/24	PLR	0.4	150.00	Attention to Plan language regarding "prosecution of fees"; review Attorney Roy Leaf's e-mail regarding same.
05/05/24	PLR	0.5	187.50	Continue attention to Pensioner ballot issues.

05/06/24	PLR	0.8	300.00	Receive and review several e-mails from individual Pensioners regarding Plan and balloting; respond to same.
05/06/24	PLR	1.1	412.50	Attention to remedy for Pensioners who received ballots on voting deadline date; legal research regarding same.
05/07/24	PLR	0.8	300.00	Receive and review Committee of Unsecured Creditors' redlines to proposed confirmation order; identify issues regarding same.
05/07/24	PLR	0.4	150.00	Legal research regarding Mercy Guild funds.
05/07/24	PLR	0.7	262.50	Receive and review latest draft of proposed Confirmation order; commented on same.
05/08/24	PLR	0.4	150.00	Receive and review Bondholder revisions to Draft Confirmation Order.
05/13/24	PLR	0.6	225.00	Receive and review McDermott Will & Emery's revisions to Combined Plan and Disclosure Statement.
05/14/24	PLR	1.4	525.00	Prepare for Plan Confirmation hearing.
05/15/24	PLR	0.8	300.00	Continue hearing preparation on Mercy One's objection.
05/15/24	PLR	0.5	187.50	Receive and review language from Confirmation Order requested by potential new sponsor.
Totals:		8.4	3,150.00	

J. Review Pleadings

Date	Tmkpr	Time	Amount	Description
05/02/24	PLR	2.4	900.00	Receive and review several Witness and Exhibits lists for 05/16/24 Plan Confirmation hearing.
05/06/24	PLR	1.1	412.50	Receive and review Objection to Confirmation of Plan Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation.
05/06/24	PLR	0.6	225.00	Receive and review Objection to Confirmation of Plan Limited Filed by J. Nicholas Russo, Nancy Russo, Brent Strabala.
05/09/24	PLR	0.4	150.00	Receive and review Report on Ballots Filed by Debtor Mercy Hospital, Iowa City, Iowa.
05/14/24	PLR	0.7	262.50	Receive and review Modified Chapter 11 Plan of Liquidation.
05/14/24	PLR	2.6	975.00	Receive and review Brief - Debtors' (I) Memorandum of Law in Support of Confirmation of Debtors' First Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation and (II) Omnibus Reply to Objections to Confirmation.
05/21/24	PLR	0.4	150.00	Receive and review Chapter 11 Monthly Operating Report for the Month Ending: 04/30/2024.
05/30/24	PLR	0.5	187.50	Receive and review Debtors' Witness and Exhibit Lists for 06/06/24 hearing.
Totals:		8.7	3,262.50	

Hrs to Bill	Amount
All: 91.3	33,720.00

Fees 80%	26,976.00
Expenses	0.00

Grand Total: 26,976.00